

**FOR THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF PENNSYLVANIA**

HANOVER PREST-PAVING CO., t/a  
HANOVER ARCHITECTURAL  
PRODUCTS,

Plaintiff,

v.

STATEN ISLAND BUILDING  
PRODUCTS DIST. INC.,

and

PLASTIC FORWARD LLC

and

WISE GUYS DISTRIBUTORS, INC.

Defendants.

CIVIL ACTION:  
No. 1:21-cv-01672- CCC

**DEFENDANT WISE GUYS DISTRIBUTORS, INC.'S  
NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the Declaration of Antoinette Burgio Burgio, dated March 30, 2023, and the accompanying Memorandum of Law, dated April 5, 2023, and upon all other pleadings and proceedings had hereto, defendant Wise Guys Distributors, Inc. (“Wise Guys”), by its attorneys, Gearhart Law, LLC will move this Court at the United States District Court, Federal Building & U.S.

Courthouse, 228 Walnut Street, Harrisburg, PA 17108, before the Honorable Christopher C. Conner, on a date and at a time to be designated by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6) dismissing plaintiff Hanover Prest-Paving Co., t/a Hanover Architectural Products (“Plaintiff”) Amended Complaint dated February 10, 2023 (the “Complaint”) (Dkt. No. 52) with prejudice.

Dated: April 5, 2023

Respectfully submitted,

/s/ Linda B. Alle-Murphy

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*Attorneys for Defendant Wise Guys*

*Distributors Inc.*

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice of Motion, Memoranda of Law, Declaration of Burgio, and proposed Order were served by email on April 5, 2023 to:

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By: s/James Klobucar, Esq.  
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